

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KIMBERLY A. RUDELL,

Plaintiff,

v.

CAROLINE W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

Case No. 13-5350 RBL-KLS

REPORT AND RECOMMENDATION

This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion to dismiss. (ECF 15). After reviewing the parties' stipulated motion, the undersigned recommends that the Court grant the parties' motion and that the above-captioned case be dismissed with prejudice pursuant to Fed. R. Civ. P. 25(a), because Plaintiff has died and the parties agree that there is no person who may substitute on her Title XVI claim for Supplemental Security Income benefits.

1           Given the fact of the parties' stipulation, the Court recommends that the District Judge  
2 immediately approve this Report and Recommendation and order the case dismissed with  
3 prejudice. A proposed order accompanies this Report and Recommendation.

4           DATED this 23<sup>rd</sup> day of August, 2013.

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7 Karen L. Strombom  
8 United States Magistrate Judge  
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